

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JOSEPH MERLINO,

Defendant.

No. 1:16-cr-00522-RJS-2
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter from the government, dated November 22, 2021 (Doc. No. 1835), acknowledging that – shortly after the Court ordered the State Department to show cause why it should not be held in contempt of court for repeatedly failing to return Defendant’s passport – the State Department informed the parties that it has mailed Defendant’s passport to his residence in Florida by UPS Next Day Air, and that it should arrive tomorrow. In light of the foregoing, IT IS HEREBY ORDERED THAT the contempt hearing scheduled for Wednesday, November 24, 2021 at 9:00 a.m. is VACATED. The government shall instead provide an update by November 24, 2021 confirming delivery of the passport.

SO ORDERED.

Dated: November 22, 2021
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation